

JUL 25 2008

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

DALE CRAWFORD,

Petitioner - Appellant,

v.

CAREY, Warden; BOB HOREL,

Respondents - Appellees.

No. 07-15918

D.C. No. CV-06-00868-
GEB/GGH

MEMORANDUM^{*}

Appeal from the United States District Court
for the Eastern District of California
Garland E. Burrell, District Judge, Presiding

Argued and Submitted June 9, 2008
San Francisco, California

Before: SCHROEDER and LEAVY, Circuit Judges, and FAIRBANK,^{**}
District Judge.

California state prisoner Dale Crawford appeals from the district court's
judgment denying his habeas corpus petition brought under 28 U.S.C. § 2254. We

^{*} This disposition is not appropriate for publication and is not precedent
except as provided by 9th Cir. R. 36-3.

^{**} The Honorable Valerie Baker Fairbank, United States District Judge
for the Central District of California, sitting by designation.

have jurisdiction under 28 U.S.C. § 2253. We review de novo a district court's decision to deny a petition brought under § 2254, *see Sass v. Cal. Bd. of Prison Terms*, 461 F.3d 1123, 1126 (9th Cir. 2006), and we affirm.

Appellees' contention that there is no federal protected liberty interest in parole release in California is foreclosed. *See id.* at 1127-28.

Because the California Board of Prison Terms' ("Board") 2004 decision to deny Crawford parole was supported by some evidence, including Crawford's refusal to participate in vocational training or self improvement programs, there was no due process violation. *See Irons v. Carey*, 505 F.3d 846, 851 (9th Cir. 2007). Accordingly, the state court's decision rejecting Crawford's due process claim was not contrary to, and did not involve an unreasonable application of, clearly established federal law, as determined by the Supreme Court of the United States. *See* 28 U.S.C. § 2254(d)(1); *see also Irons*, 505 F.3d at 851.

We decline to reach Crawford's contentions concerning Board bias, ex post facto laws, state law violations, and the Board's decision to defer his next parole hearing for three years, because Crawford did not raise these arguments in the district court. *See Manta v. Chertoff*, 518 F.3d 1134, 1144 (9th Cir. 2008) ("As a general rule, we do not consider issues raised for the first time on appeal.").

AFFIRMED.